



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

October 6, 2023

VIA ECF

The Honorable Laura Taylor Swain
Chief United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Liu et al.*, S2 21 Cr. 592 (LTS)

Dear Chief Judge Swain:

The Government writes on behalf of the parties to respectfully request an approximately 90-day adjournment of the conference in this case currently scheduled for October 11, 2023. As the Court is aware, a grand jury returned a superseding indictment (the "S2 Indictment") in this case on September 12, 2023. The S2 Indictment charges five defendants: Junyi Liu, Hongxing Wang, Mitzy Baldovino, Jonathan Laqui, and Victor Man. Defendants Baldovino, Laqui, and Man were arrested on September 13, 2023, and presented and arraigned on that date in Magistrate's Court. Defendants Liu and Wang were charged in the original indictment in this case.¹ The Government is engaged in producing discovery to the defendants, and the parties are engaging in ongoing plea discussions. The adjournment requested herein will allow additional time for production and review of the substantial discovery in this case, as well as the continuation of plea discussions.

If the Court grants this request, the Government further requests that the Court exclude time under the Speedy Trial Act between October 11, 2023, and the new conference date set by the Court. The ends of justice served by granting such an exclusion outweigh the best interest of the public and the defendants in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A). An exclusion is warranted to allow additional time for the defendants to review discovery and for the

¹ The Government respectfully requests that the Court arraign Defendants Liu and Wang on the S2 Indictment at their next appearance date before the Court.

parties to engage in discussions of potential pretrial resolutions of this case. The defendants consent to this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: 

Timothy V. Capozzi
Assistant United States Attorney
212-637-2404

cc: Defense counsel listed on ECF

The foregoing adjournment request is granted. The pretrial conference is hereby adjourned to January 11, 2024, at 11:30 am. The Court finds pursuant to 18 U.S.C. § 3161(h)(7)(A) that the ends of justice served by an exclusion of the time from speedy trial computations from October 11, 2023, through January 11, 2024, outweigh the best interests of the public and the defendants in a speedy trial for the reasons stated above.

SO ORDERED.

October 6, 2023

/s/ Laura Taylor Swain, Chief USDJ